

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48653 of 2016

Arising Out of PS.Case No. -263 Year- 2014 Thana -KHODAWANPUR District- BEGUSARAI

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1. Kumod Das Son of Gago Das.
2. Sanatan Das Son of Bhandul Das, Both resident of Village Mohaddipur,
P.S. Hasanpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv.
Ms Kumari Anamika Singh, Adv.

For the Opposite Party/s : Mr. Smt. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-01-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in a case registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code in connection with Khodabandpur P.S. Case No. 263/2014.

It has been submitted on behalf of the petitioners that earlier U.D. case was filed with respect to the occurrence but later, on the basis of complaint petition present case was instituted, in which, during course of investigation on the statement of Md. Iqbal, the name of the petitioners along with Rajesh Das was disclosed. It has also been submitted that the deceased used to take heavy drink and in course of drinking he died. Other co-accused Rajesh Das has already granted bail vide order dated 20.12.2016 passed in Cr. Misc.



No. 48122/2016 and the petitioners are in jail since 27.09.2016.

Learned Additional Public Prosecutor could not controvert the fact that the case of the petitioners is on similar footing as that of Rajesh Das.

Having heard both sides, in view of the facts that earlier U.D. case has been filed and later on case is instituted on the basis of complaint petition in which one of the witnesses has named the petitioners and one Rajesh Das, but Rajesh Das has already been granted bail by this Hon'ble Court, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Manjhaul, Begusarai in connection with Khodabandpur P.S. Case No. 263/2014, subject to conditions that one of the bailors should be relative of the petitioners and another having sufficient immovable property within the jurisdiction of the court below with further condition that they will co-operate in disposal of the trial and will make themselves available before the court and failure to appear on two consecutive dates without any appropriate reason will be liable for cancellation of their bail.

(Vinod Kumar Sinha, J.)

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